REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on August 1, 2006. At the time the Examiner mailed the Office Action claims 1-13 and 23-27 were pending. By way of the present response the Applicants have: 1) amended no claims; 2) added no new claims; and 3) canceled no claims. As such, claims 1-13 and 23-27 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

Claim Rejections

35 USC §102 Rejections

Claims 1, 6, 7, 9, 23, 24, and 26 stand rejected under 35 U.S.C. § 102(e) as being considered to be anticipated by Tosey, U.S. Publication No. 2004/0068666 (hereinafter "Tosey").

For a 35 U.S.C. §102 reference to anticipate a claim, the reference must teach every element of the claim. Section 2131 of the MPEP recites: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

With respect to independent claim 1, applicant teaches and claims: "A method comprising: receiving a wireless wide area network (WWAN) signal; filtering, at a WWAN signal handling logic, information included in the WWAN signal; determining if

an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor."

Tosey does not disclose "...filtering, *at a WWAN signal handling logic*, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor." Emphasis added. The WWAN module of Tosey performs no filtering of information included in a WWAN signal. Whenever <u>any</u> network event occurs during the polling period during which the processor is asleep, the WWAN module will awaken the application processor. (Paragraphs 20 and 27, Figure 3, block 314) Thus, no filtering of network events occurs at the WWAN device prior to waking the processor.

The examiner has pointed out that paragraphs 20, 24, and 25 of Tosey indicate that a wakeup request is sent only for keep-alive, connection clear, or emergency/important/urgent e-mail notifications. However, these events are listed by Tosey as <u>mere examples of network events</u> that may be received by the WWAN module: "Subsequent to suspension, a network event may occur *such as* receipt of an IP packet (*such as* a keep alive), connection clear (out of range), or an incoming mail notification." (Paragraph 20, emphasis added.) Tosey does not indicate that any filtering is performed at the WWAN module when a network event occurs. Whenever a network event occurs, the WWAN module receives a signal from a VPN server and wakes the processor. (Paragraphs 20 and 27)

Tosey does indicate that filtering of e-mail messages based on importance may occur, however, this filtering is not performed at the WWAN module, as required by claim 1. The filtering of e-mail messages is performed by a remote VPN server on the network, which generates and sends a signal to the WWAN module: "For example, an "emergency" signal could be generated *to the WWAN module from the VPN* when an email message marked as urgent is received." (Paragraph 25) Thus, any filtering that is performed by Tosey is performed at the VPN server and not at the WWAN module. The filtering by the VPN server renders unnecessary filtering at the WWAN module, since the WWAN module will awaken the processor anytime a signal is received from the VPN server.

Therefore, Tosey does not disclose "...filtering, at a WWAN signal handling logic, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor," as required by claim 1. Each of the other pending independent claims 9 and 23 recites limitations that are similar to the limitations of claim 1, although some differences may exist among the limitations of the other pending independent claims. These similar limitations nevertheless patentably distinguish claims 9 and 23 over Tosey. Therefore, for at least these reasons, applicant respectfully submits that Tosey does not anticipate all elements of independent claims 1, 9, and 23.

Claims 6 and 7 are dependent on independent claim 1. Claims 24 and 26 are dependent on independent claim 23. Thus, for at least the same reasons advanced above

with respect to independent claims 1 and 23, applicant respectfully submits that Tosey does not anticipate all elements of dependent claims 6, 7, 24, and 26.

35 U.S.C. 103(a) Rejections

In order to establish a prima facie case of obviousness:

"First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." In re Vaech, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Manual of Patent Examining Procedure (MPEP), 8th Edition, August 2001, §2143.

Claims 8 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tosey, U.S. Publication No. 2004/0068666 (hereinafter "Tosey").

As described above with respect to claims 1 and 23, Tosey does not teach or suggest "...filtering, at a WWAN signal handling logic, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor." Claim 8 is dependent on claim 1. Claim 25 is dependent on claim 23. Thus, for at least the reasons stated above with respect to claims 1 and 23, the examiner has not established a prima facie case of obviousness, and claims 8 and 25 are in condition for allowance.

Claims 2-5, 10-13 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tosey, U.S. Publication No. 2004/0068666 (hereinafter "Tosey") in view of Zmudzinski, et al., U.S. Publication No. 2004/0128310 (hereinafter "Zmudzinski").

Neither Tosey nor Zmudzinski teach or suggest "...filtering, at a WWAN signal handling logic, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor," as claimed in claim 1. Claims 9 and 23 contain similar limitations. Claims 2-5, 10-13, and 27 are dependent upon claims 1, 9, and 23, respectively.

Because Zmudzinski does not teach what is missing from Tosey, and the combination does not teach or suggest all claim limitations, a prima facie case of obviousness has not been established for claims 2-5, 10-13, and 27.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Cyndi M. Wheeler at (916) 356-5358.

Respectfully Submitted,
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